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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Technical Requirements to Enable Blocking)
of Video Programming based on Program Ratings)
)
Implementation of Sections 551 (c), (d), and (e) of)
the Telecommunications Act of 1996)

ET Docket No. 97-206

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

REPLY COMMENTS OF SOUNDVIEW
TECHNOLOGIES INCORPORATED

Soundview Technologies Incorporated, a division of Acacia Research Corporation, hereby submits reply comments in response to the above-referenced Notice of Proposed Rule Making. In the Notice, the Commission has solicited reply comments on its proposal to implement the program-blocking requirements contained in Sections 551 (c), (d) and (e) of the Telecommunications Act.

Soundview Technologies Incorporated has developed the V Chip Converter™, a set-top unit which will enable the approximately 200 million existing televisions in American homes which would otherwise be "deaf" to the v-chip signals, to utilize v-chip technology. Soundview plans to have its converter on the market within a few months after the adoption of a technical standard for v-chip implementation.

The FCC Should Act Quickly To Fulfill The Directives

Congress Set Forth In the Telecommunications Act of 1996

Soundview Technologies agrees with the comments from the members of the Consumer Electronics Industries Association with the exception of the deadline for use of the technology.

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Although it is to Soundview's competitive advantage to have its product on the market prior to the availability of new v-chip equipped TVs, we have been informed by knowledgeable industry professionals that a six to 12 month period is all the time required to make the simple software modifications to existing TV production lines in order to accommodate the v-chip functions.

We believe that it is imperative to quickly adopt a rating system and technical standard so that the American public can benefit from v-chip technology as soon as possible. Every day that the Commission delays in setting a standard means another day that parents are kept without this important new technology to help protect their children from "objectionable" material as Congress intended. Soundview Technologies plans rapid introduction of its V Chip Converter in early 1998, but we will be unable to provide product to American families until a final specification is agreed upon.

The FCC Should Not Mandate Accommodation Of Multiple Rating Systems

A few commenters - specifically Tim Collings from Simon Fraser University, Robert Block of IPPP and Dick Leghorn of OKTV - have proposed that the Commission mandate a standard that would accomodate multiple rating systems. Section 551 of the Telecommunications Act plainly reflects Congress' intent that the television programming industry establish its own "voluntary" system for rating video programming. That industry has now done so - and it has ardently stated that it will only broadcast its own rating system. It would be wasteful for the Commission to require that receiver manufacturers include additional features which will decrease the performance of v-chip technology, delay its introduction and ultimately lie dormant in new sets.

Furthermore, there is no need for the government to take such a step. Those programming distributors and receiver and set-top manufacturers who believe that offering the option of multiple ratings systems will be a marketable, competitive feature should be free to offer it on an unregulated and voluntary basis. Offering this feature can easily be accomplished by leasing some

vertical interval space from a willing broadcaster or a program cable system operator. These alternate rating services could then be downloaded in a fashion similar to the programming guides offered by Starsight Telecast or VideoGuide, an option suggested by Mr. Collings in a recent meeting of CEMA Television Data Systems Subcommittee (R-4.3). In short, consumers in the marketplace - not the FCC - should decide whether multiple rating systems are needed or wanted.

We emphatically agree that a single rating system will allow for the most useful and effective blocking technology for two reasons:

- 1) Technical issues for multiple rating systems, such as latency periods, will decrease the effectiveness and security of v-chip technology.
- 2) A straight forward, single rating system is necessary to ensure maximum usage of this new technology. Confusing a consumer with a complex programming chore will inevitably decrease the likelihood of v-chip use.

Simply put, the commission's approval of a simple rating system will increase the use of v-chip blocking technology.

Soundview believes that the Commission should act as quickly as possible - within a matter of weeks - so that American families can benefit to the fullest extent from v-chip blocking technology. Every day delayed is another day in which Congress' vision of the benefits of v-chip technology is unnecessarily delayed. A parent friendly, easy to operate, single system will ensure maximum benefit of this important new technology.

Respectfully submitted,

A handwritten signature in black ink, reading "David H. Schmidt". The signature is fluid and cursive, with a horizontal line drawn underneath it.

David H. Schmidt, V. P., Director of Technology
Soundview Technologies Incorporated
Two Soundview Drive
Greenwich, CT 06830
(203) 661-3303